

Appl. No. 09/807,232

Reply to Office Action of June 13, 2003

~~first signal portion wherein a first signal component to be branched off is reflected by the grating and a second signal component having a same wavelength as the first signal component is transmitted.~~

#### REMARKS

Claims 20-38 remain in this application. Claims 20, 28, 31-34 and 36-38 have been amended.

In the Office Action dated June 13, 2003, the Examiner rejected all of the claims of the present application under 35 U.S.C. §103(a) as being unpatentable over Fleming et al. (U.S. Patent No. 5,987,200). The Examiner's entire argument is as follows:

Fleming et al. a tunable fiber grating comprises a temperature-sensitive body secured to a fiber-grating region for transmitting thermally induced strain to the grating. The amount of strain and the degree of wavelength tuning are controlled by adjusting the temperature of the temperature-sensitive body, wherein the extent of adjustment is preferably pre-determined according to feedback from a wavelength detector.

Applicant respectfully submits that the Fleming reference, nor any of the other art cited by the Examiner, teaches or suggests, nor even contemplates, the use of a drop-and-continue module for achieving a drop-and-continue function. Whatever conclusion the Examiner was trying to draw with respect to the Fleming reference, it clearly was not supported by the arguments in the Office Action nor does it address the drop-and-continue functionality of the present invention.

For further clarification, Applicant notes that each of the independent claims of the present application have been amended so as to clarify that the optical filter, which produces a drop-and-continue function, includes "a wavelength-selective grating having temperature-dependent reflection and transmission characteristics, wherein a temperature-dependent first signal portion of a signal having a particular wavelength is reflected by the grating and a temperature-dependent second portion of this signal having a same wavelength as the first portion of the signal is transmitted to effect a continue function of the optical filter," as well as "a device for adjusting a temperature of the grating for selectively determining a single range that is reflected by the grating, the single range defining the first signal portion."

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None of the references cited by the Examiner teach or suggest such a filter whereby, depending on the temperature, a certain part of the incoming signal is reflected while the remaining part is transmitted. As a result, after reducing the reflective portions of the signal to zero, the optical filter may be tuned without disturbing other through channels of a WDM system.

In light of the above, Applicant respectfully submits that all of the claims of the present application, as amended, are patentable over the art of record. Therefore, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

It is submitted that no fees are due in connection with this action at this time. If any fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket no. (0112710-169) on the account statement.

Respectfully submitted,

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